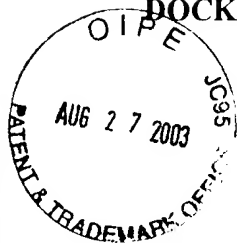


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DOCKET NO.: 3DP-0455



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Barry A. Springer et al.

Confirmation No.: 5579

Application No.: 09/722,495

Group Art Unit: 1647

Filing Date: November 28, 2000

Examiner: C. Saoud

**For: Analog of Human Basic Fibroblast Growth Factor Mutated at one or more of
the Positions Glutamate 89, Aspartate 101 or Leucine 137**

EXPRESS MAIL LABEL NO: EV251841433US
DATE OF DEPOSIT: August 27, 2003

EV251841433US

Mail Stop ☐ NON-FEE
 ☒ AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated November 5, 2002, and Notice of Appeal filed on April 28, 2003.
- ☐ An Amendment Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 -) in clean form.
 - ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures .
- ☐ A Certified Copy of each of the following applications: is enclosed.

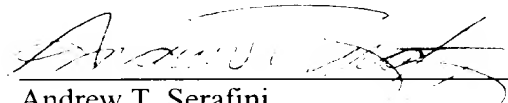
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appendices as follows:
- ☐ Other
- ☐ No Additional Fee is Due.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS		(20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS		(3 MINIMUM)		\$42 EACH	\$	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$410
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$410

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.

- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Notice of Appeal of April 28, 2003 to and through August 28, 2003 comprising an extension of the shortened statutory period of two (2) months.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: August 27, 2003

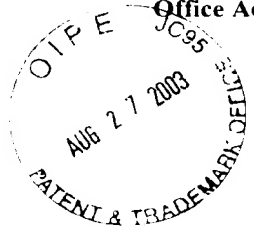


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DOCKET NO.: 3DP-0455
Application No.: 09/722,495
Office Action Dated: November 5, 2002

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
**Barry A. Springer, Michael W.
Pantoliano, and Celia M. Sharp**

Confirmation No.: **5579**

Application No.: **09/722,495**

Group Art Unit: **1647**

Filing Date: **November 28, 2000**

Examiner: **C. Saoud**

For: **Analogs of Human Basic Fibroblast Growth Factor Mutated at one or more of
the Positions Glutamate 89, Aspartate 101 or Leucine 137**

EXPRESS MAIL LABEL NO: EV251841433US
DATE OF DEPOSIT: August 27, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Final Official Action dated **November 5, 2002**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☐ **Amendments to the Specification** begin on page _____ of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page _____ of this paper and include an attached replacement sheet.
- ☒ **Remarks/Arguments** begin on page 6 of this paper.